



26 JUL 2005

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In re Application of

JIN et al.

U.S. Application No. 10/501,452

PCT No.: PCT/JP03/00252

Int. Filing Date: 15 January 2003

Priority Date: 15 January 2002

Attorney Docket No.: 042586

For: SOLVENT-SOLUBLE BLOCK  
COPOLYMERIZATION POLYIMIDE  
COMPOSITION, AND ITS  
PRODUCTION PROCESS

DECISION ON PETITION

This decision is in response to applicants' "Renewed Petition under 37 CFR 1.47(a)" filed 15 July 2005 to accept the application without the signature of joint-inventor, Akihito Taniguchi. No petition fee is required.

**BACKGROUND**

On 15 January 2003, applicants filed international application PCT/JP03/00252 which claimed a priority date of 15 January 2002. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 24 July 2003. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the international filing date, 15 July 2004.

On 14 July 2004, applicants filed a transmittal letter for entry into the national stage in the United States, which accompanied by, inter alia: the requisite basic national fee as required by 35 U.S.C. 371(c)(1); international search report; and a translation of the international application.

On 13 September 2004, the United States Designated/Elected Office mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) must be filed. The notification set a two-month time limit in which to respond.

On 04 November 2004, applicants filed a declaration executed by five of the six joint-inventors.

On 22 November 2004, the United States Designated/Elected Office mailed a Notification of Defective Response (Form PCT/DO/EO/916) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) must be filed.

On 11 March 2005, applicants filed a petition under 37 CFR 1.47(a). The petition was dismissed without prejudice in a Decision on Petition dated 18 April 2005.

On 09 June 2005, applicants filed "Renewed Petition under 37 CFR 1.47(a)." The petition was dismissed without prejudice in a Decision on Petition dated 28 June 2005.

On 15 July 2005, applicants filed "Renewed Petition under 37 CFR 1.47(a)."

### DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by: (1) the fee under 37 CFR 1.17, (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and behalf of the nonsigning joint inventor. Items (1), (2), and (4) have been satisfied.

Regarding item (3) above, petitioner has provided a clear statement of the last known address of the non-signing inventor.

Accordingly, it is appropriate to accord the national stage application status under 37 CFR 1.47(a).

### CONCLUSION

The renewed petition under 37 CFR 1.47(a) is **GRANTED**.

The application will be given an international filing date of 15 January 2003 under 35 U.S.C. 363, and a date of **04 November 2004** under 35 U.S.C. 371(c).

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the nonsigning inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.



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Dear Akihito Taniguchi:

You are named as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

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